

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

THEODORE WILLIAMS et al.

PLAINTIFFS

v.

CIVIL ACTION NO. 1:16-CV-266-KS-MTP

GARY HARGROVE et al.

DEFENDANTS

ORDER

This matter is before the Court on the Motion to Exclude the Proposed Expert Testimony of Richard T. Campbell, Ph.D., and John M. Gale, Ph.D. (“Motion to Exclude”) [141]. After reviewing the submissions of the parties, the record, and the applicable law, the Court finds that this motion should be granted in part and deferred in part.

Though Defendants ask that Dr. Gale be excluded, they make no argument as to why. As this is their burden as the movant, the Court finds that their motion should be **denied** with respect to the exclusion of Dr. Gale.

The Court further finds that a *Daubert* hearing as to the exclusion of Dr. Campbell is necessary for a fair consideration of Defendants’ motion. As such, a ruling on the motion with respect to him will be **deferred** until after such a hearing can be held.

IT IS THEREFORE ORDERED AND ADJUDGED that the Motion to Exclude [141] is **granted in part** and **deferred in part**.

SO ORDERED AND ADJUDGED, on this, the 5th day of January, 2018.

s/Keith Starrett
UNITED STATES DISTRICT JUDGE